~~1948~~

File No. Prisons II
48

Legal **DEPARTMENT**
B **BRANCH**

Subject:–

Rules and Notifications under the Indian Prisons Act. 1894

P 4
(V)

File No. Prisons II /48
Std. Sectt. Slip 24 B e.

357-B

Office of the R.L.A.

A revised draft notification is sent herewith.

Sd/- S.B.Palekar.

For Remembrancer of Legal Affairs.

U.R. to H.D. NO.3807, dated the 20th April 1948.

4-Co.

H.V.V.
30/5.

NOTIFICATION.

Home Department,

...mbay Castle, 1948.

Prisons Act, 1894.

No. 4295/5:- In exercise of the powers conferred by clause (25) of section 59 of the Prisons Act, 1894 (IX of 1894), read with the rule made by the Government of Bombay, under Government Notification, Home Department, No. 9180/3-IV-(B), dated the 1st February 1940, the Government of Bombay is pleased to amend the rules for the appointment and guidance of visitors of subsidiary jails, published in Government Notification, Home Department, No.9180/3-IV-(C), dated the 1st February 1940, as follows, namely:-

For sub-rule (1) 57 of the said rules the following shall be substituted, namely :-

"(1) In addition to the official visitors mentioned in rule 56 there shall ordinarily be three non-official visitors for the Sub-Jails at Ahmedabad, Jalgaon, Dharwar and Alibag and four for the Sub-Jails at Nadiad, Broach, Godhra, Surat, Ahmednagar, NSM Nasik, Satara, Sholapur, Karwar, and Ratnagiri. One of the non-official visitors for each of the said fourteen Sub-Jails shall be a member of the Bombay Legislative Assembly or Council representing the town or the District in which the Sub-Jail is situated. In the case of each of the Sub-Jails mentioned above for which there shall ordinarily be four non-official visitors, one of the said visitors shall be a woman."

By order of the Governor of Bombay,

Secretary to Government.

J.-Cs.
M.V.V.
30/5.

Office of the R.L.A.

The Government Resolutions referred to in the H.D. note at p.6 ante except G.R. No.2192,dated 24.3.1924 (slip P) are all P.W.D. G.Rs. relating to the construction of Arthur Road Jail. The H.D.G.R. of 1924 sanctions payment to the Municipal Commissioners of a certain sum as the value of the Arthur Road Jail site. These G.Rs.may not be accepted as general or special orders of Government for the use of Arthur Road Jail as a jail within the meaning of section 3(1) of the Prisons Act, 1894. For regularising the position, it would, therefore, be safer to make an order for the use of Arthur Road Jail as a prison and keep it on record. Such an order can be made retrospectively. Since the law does not require publication of orders under section 3(1) of the Act the order in this case need not be published. This course will not attract public notice but will at the same time fulfil the requirements of law.

The requisite draft order is sent herewith.

Sd/- P.M.LAD,
3/7.

Encumbrancer of Legal Affairs.

U.R. to H.D. No. 358-Conf1. Dated the 5th July,1948.

4-Cs.

M.V.V.
30/5.

O R D E R.

Home Department,
Bombay Castle, July 1948.

The Prisons Act, 1894.

No. In exercise of the powers conferred by clause (1) of section ~~xxxx~~ 3 of the Prisons Act, 1894 (IX of 1894) the Government of Bombay is pleased to direct that with effect from *.....Building bearing municipal No.#.....situated on .....|....., at Bombay and known as the Arthur Road Prison, Bombay shall be a prison for the detention of prisoners.

* Here insert the date with effect from which the place has been used as a prison.

Here insert the Municipal number of the Bldg.

| Here insert the name of the road on which the building is situated.

By order of the Governor of Bombay

Secretary to Government.

4-Co.
M.V.V.
30/5.